

Subject: New Ban the Box Initiative in the City of Los Angeles
From: Office of Wage Standards
Date: 05/04/2017 10:31 AM
To: Lisa Schechter

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Fair Chance Initiative for Hiring Ordinance

*Employers can **NOT** inquire into a job Applicant's Criminal History by any means, unless and until a Conditional Offer of Employment has been made to the Applicant.*

What is it?

Starting January 22, 2017, Employers with ten (10) or more Employees are subject to the **Fair Chance Initiative for Hiring Ordinance (FCIHO)** pursuant to Los Angeles Municipal Code (LAMC) § 189.

This applies to all individuals, firms, corporations, partnerships, labor organizations, groups of persons, associations, job placement and referral agencies, other employment agencies, or any other organization however organized that is **located or doing business in the City**.

The **number of Employees** includes the owner or owners, management, and supervisorial employees.

* and INTERVIEW if necessary

** if applicable

EMPLOYMENT APPLICATION *



CONDITIONAL OFFER



CRIMINAL BACKGROUND CHECK **



INDIVIDUALIZED ASSESSMENT **



FAIR CHANCE PROCESS **



REASSESSMENT **

What do I have to post?

Employers must post this notice in a conspicuous place at every **workplace**, **job site**, or **other location** in the City under the Employer's control and **visited by Employment Applicants**, and send a copy of this notice to each **labor union** or **representative of workers** with which they have a collective bargaining agreement or other agreement or understanding that is applicable to Employees in the City. [LAMC § 189.04(B)]

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

NOTICE TO APPLICANTS & EMPLOYEES
FAIR CHANCE INITIATIVE FOR HIRING ORDINANCE

This Employer is subject to the Fair Chance Initiative for Hiring Ordinance (FCIHO) (LAMC 169.00).

THESE ARE YOUR RIGHTS...

1. Employers cannot inquire about or seek information about an Applicant's Criminal History until after a Conditional Offer of Employment has been made to the Applicant.
2. If an Employer includes job solicitations and applications or during any conversations or interviews
3. If an Employer decides to rescind an offer of employment based on information discovered during the criminal background check, the Employer is required to perform an Individualized Assessment.

- ✓ Individualized Assessment - a written assessment that effectively links the specific aspects of the Applicant's Criminal History with risks inherent in the duties of the Employment position sought by the Applicant.
- ✓ If the offer is rescinded, the Applicant must receive:
 - o Copy of the Individualized Assessment, and
 - o Copies of any documentation used in the Employer's decision
- 3. The Applicant has the right to the Fair Chance Process.

✓ The Applicant has the opportunity to provide information or documentation to an Employer regarding their Criminal History that may be included in the Criminal History Report or that should be considered in the Employer's assessment, such as evidence of rehabilitation or other mitigating factors.

✓ The Employer is required to hold the job open for at least five (5) days from the date notification of a rescinded offer of employment to the Applicant to allow the Applicant time to respond, and the Employer is required to review any documentation in order to reassess their decision.

FOR ADDITIONAL INFORMATION OR ASSISTANCE, CALL:
Department of Public Works
Office of Wage Standards
1149 S Broadway, Suite 300, Los Angeles, CA 90015
Phone: (844) WagesLA – Email: WagesLA@lacity.org

Note: Not all Applicants/Employees are covered under the FCIHO. Please see ordinance (LAMC 169.00) for more details.

Form FCIHO, Rev. 12/16

Questions?

Visit the FCIHO website for helpful resources like the Rules and Regulations, Frequently Asked Questions, Guidelines for Employers, Sample Notice to Rescind Employment Offer Letter, Complaint Form, and more.

Learn More

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1149 S Broadway, Suite 300, Los Angeles, CA 90015
844-WAGESLA (924-3752)
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